

PLANNING BOARD
CITY OF LAMBERTVILLE
REGULAR MEETING MINUTES

Wednesday, April 2, 2014

The meeting was called to order by Bill Shurts, at 7:00 p.m. with a statement of compliance with the Open Public Meetings Act.

Roll Call

Mrs. Lawton called the roll as follows:

Present: Tim Korzun, Paul Kuhl, Dave Morgan, John Miller, Ken Rogers, Gina Fischetti. Steve Stegman arrived at 7:04 pm and Mayor DeVecchio arrived at 7:16 pm.

Absent: Jackie Middleton, Derek Roseman and Erin Keyes.

Also Present: Attorney William Shurts, Board Planner Emily Goldman and Pete McCabe in for Mr. Clerico.

APPROVAL OF MINUTES

Paul Kuhl made a motion to approve the March 5, 2014 meeting minutes, as submitted. Ken Rogers seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. John Miller abstained from voting.

MOTION CARRIED.

APPROVAL OF RESOLUTION # 02-2014

First Amendment to Resolution # 01-2013

William Barish – Block 1011 Lot 10

The applicant is seeking a three month time extension for a Minor Subdivision that was approved by the Planning Board in 2013.

Paul Kuhl made a motion to grant the three month time extension of rights through July 10, 2014. Dave Morgan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. Paul Kuhl recused himself from voting because he lives within 200 feet of the property. John Miller was abstained from voting.

MOTION CARRIED.

COMPLETENESS – LOT LINE ADJUSTMENT

Fisherman's Mark – 89 North Main Street

Block 1026 Lots 5 & 6

The Board Chairman, Tim Korzun, recused himself from the completeness hearing and took a seat in the audience. Mr. Kuhl chaired the meeting for this application.

Glenn Monteleone, the applicant's surveyor, was present on behalf of the applicant. He advised the Board members that Bruce Blair, the architect was not available for the meeting. He also was not able to obtain the signed and sealed plans, as requested by the Board Professionals.

The applicant is seeking approval to subdivide lot's 5 and 6 for the purpose of selling one of the lots once approval has been granted. No development is being proposed for this application.

The existing three story stucco building is currently used for storage. This building is on lot 6.

There is an existing access easement on lot 6. Mr. Monteleone stated that the easement will still be in effect however, it may be relocated and will remain on lot 6.

Emily Goldman stated that she had not received a full application package from the applicant and therefore it made it difficult to complete her completeness review on this.

Ms. Goldman's letter stated that the plans that were submitted were not sealed or signed by the architect. It was understood by the Board members that the new plans would be submitted by Bruce Blair along with the checklist for this application.

All administrative items have been satisfied.

The deed for lot 6 was submitted, however, Ms. Goldman stated that a deed for lot 5 would also be required. Mr. Monteleone stated that he would check with the applicant for a copy and submit if one is available.

Mr. Monteleone advised the Board members that they will be requesting waivers on some items on the checklist. They will address those items at the public hearing.

John Miller stated that he would like to see the locations of all utilities that serve the entire property. Mr. Monteleone stated that he will provide that information on a new set of plans.

Pete McCabe requested a sealed copy of the original survey of the property and also a new survey of the property.

Steve Stegman stated that the plans that the Board members received were difficult to understand the concept of what the applicant is proposing and suggested that changes be made to the plans for the public hearing.

The Board professionals stated that they would only need approximately 10 days to review the new submittals prior to the next meeting. If the documents are received by the professionals no later than April 14, 2014, the applicant may proceed with the required notifications for a public hearing on May 7, 2014. If the professionals have reviewed all documents submitted and are satisfied that the application is complete, the Board will vote on deeming the application complete and proceed with the public hearing at the May 7, 2014 meeting.

Steve Stegman made a motion to deem the application complete on the condition that the applicant submits the required items listed in each professional's letter no later than April 14, 2014. Dave Morgan seconded the motion. A unanimous roll call vote in favor of the motion was taken by all members present. Tim Korzun recused himself from voting.
MOTION CARRIED.

PAYMENT OF BILLS

Ken Rogers made a motion to pay bills, so long as funding was available. John Miller seconded the motion. A unanimous voice vote in favor of the motion was taken by all members present.
MOTION CARRIED.

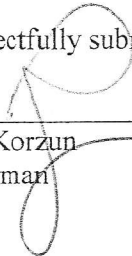
PUBLIC COMMENT

None

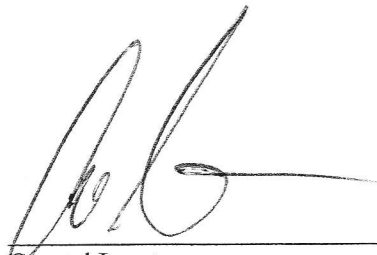
ADJOURNMENT

Paul Kuhl made a motion to adjourn the meeting at 7:35 pm. Ken Rogers seconded the motion. A unanimous voice vote of ayes was taken in favor of the motion by all members present. **MOTION CARRIED.**

Respectfully submitted,



Tim Korzun
Chairman

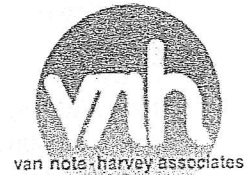


Crystal Lawton
Administrative Officer

van note - harvey

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Since 1894

VIA EMAIL

March 27, 2014

construction@lambertvillenj.org

City of Lambertville – Planning Board
18 York Street
Lambertville, NJ 08530-2093

Attention: Crystal Lawton, Secretary

RE: Minor Subdivision Request
Applicant: Fisherman's Mark c/o Linda Meacham, Executive Director
Address: 89 N. Main Street
Block 1026, Lots 5 and 6
VNHA #41903-300-31

Dear Crystal:

In accordance with the City's request, I have reviewed the above captioned application and submitted material, and offer the following observations and comments for the Planning Board's information and consideration.

A. Material Forwarded & Reviewed

This office is in receipt of the following additional information from the applicant:

1. One (1) copy of the Planning Board Application

In addition to the Planning Board Application form received from the applicant, I have reviewed the following information:

1. One (1) copy of the plan entitled: "Lot Line Change", prepared by Boucher & James, Inc., dated March 3, 2014, Sheet 1 of 1, provided by the City of Lambertville;
2. City of Lambertville Tax Map #7;
3. Fisherman's Mark website; and
4. NJDEP GeoWeb.

B. Description of Subject Property & Proposed Development

Applicant/Owner: Fisherman's Mark
89 N. Main Street
Lambertville, NJ 08530

Existing Conditions: Fisherman's Mark currently owns two (2) contiguous parcels on N. Main Street, Block 1026, Lots 5 and 6. Lot 5 contains a semi-detached structure, while Lot 6 contains a detached 3-story stucco building, the existing access tower to the building in Lot 7, a brick walk/plaza, and access easements granted to Lot 7. Both lots were identified within the Delaware and Raritan Canal State Park Historic

Structures Survey as the Kohl House and are included within the Lambertville Historic District.

Proposal:

The Applicant proposes to adjust the lot lines between Lots 5 and 6. The minor subdivision (aka lot line adjustment) will not create additional lots. The application requires bulk variances for the minimum lot frontage and the minimum lot width of proposed Lot 10.01, and minimum side yard and minimum rear yard for the existing garage on proposed Lot 10.

Zoning:

R-2

C. Completeness Review

The Applicant did not provide a completed Minor Subdivision Checklist to this office for review. As such, the application should advise the Board if the following items have been provided or if waivers are being sought:

1. Application fee and Escrow Fee.
2. Fifteen (15) copies of the completed application form.
3. Four (4) copies of the completed checklist.
4. Fifteen (15) copies of the signed and sealed plans.
5. Certification from Tax Collector that all taxes & assessments on the property are paid.
6. Four (4) copies of existing & proposed protective covenants or deed restrictions applying to the land being subdivided & a copy of any deed(s) of record.
7. Copies of completed applications submitted to other applicable review Agencies.
8. Written verification of proposed tax lot numbers as obtained from the City Tax Assessor.
9. Existing Topography.
10. Location of all man-made & natural features both on-site & within 200-feet of the property.

D. Subdivision/Site Plan Comments

1. **General Regulations.** Per Section 400.1, unless otherwise specified in the Zoning Ordinance, not more than one Principal dwelling or building shall be permitted on one lot. Where a lot is formed from part of a lot already occupied by a building, any subdivision shall be executed in such a manner so as to not create or exacerbate any violation of the requirements of the Zoning Ordinance with respect to the existing building and all yard, setback, buffers and open space in connection therewith.

As the uses of the various structures are not defined on the Plot Plan, the Applicant should explain the various uses of the different structures located on the two lots.

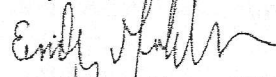
2. **Residential 2 (R-2) Zone.** While the applicant is not proposing to change the uses of the structures at this time, it is important to determine if the uses are permitted uses, accessory uses, and/or conditional uses allowed within the R-2 Zone in order to determine the applicable Area, Yard, Height and Coverage Requirements applicable to the minor subdivision located within Section 404.5. The applicant has indicated

the Lot 5 is regulated by the Semi-detached Residence requirements and Lot 6 is regulated by the Single Family & Municipal requirements.

3. **Subdivision.** Subdivisions of lots shall be designed to meet the objectives and design standards at Section 513.1.A.
 - a. The Project is proposing two rectangular-shaped lots with side lot lines at right angles. Pie-sliced shaped lots are not proposed.
 - b. Per Section 513.1.A.1, lots shall be regular in shape, with rectangular-shaped lots preferred. The Planning Board shall have the right to reject irregularly shaped lots with unusual geometric configurations.
 - c. The Applicant is not proposing extra width for dedication or reservation for the widening of North Main Street.
 - d. The Planning Board may withhold approval if there is a question as to the suitability of a lot or lots for their intended use due to factors, including but not limited to, steep slopes, poor drainage, flood prone lands and wetlands. If approval is withheld, the Board must give reasons for such withholding on the record.
4. **Access Easement.** There is an existing access easement on Lot 6 to allow for ingress and egress to the St. Andrew's Church building. The Lot Line Change Plan indicates that the access easement within the portion of Lot 6 to be conveyed to Lot 5 will be abandoned. As the existing access tower provides access to the building on Lot 7, owned by a separate owner, I am unsure if the access easement should be abandoned. However, as this is a legal matter, I defer to comments from the Planning Board Attorney regarding the access easement.

I will be in attendance at the April 2nd meeting to hear the applicant's testimony and may have additional comments at that time. Should you have any questions regarding this report, please contact me at your convenience.

Very truly yours,

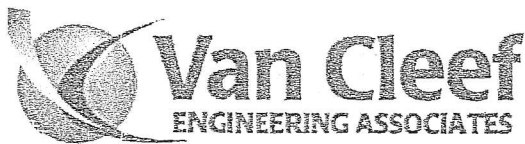


Emily R. Goldman, PP, AICP
City Planner

ERG/dr

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- c: Ms. Linda Meacham, Fisherman's Mark
Mr. Jeff Nicholas, Fox Rothschild
Mr. Glenn Monteleone, Boucher & James, Inc.
- cc: Lambertville Planning Board
Mr. Robert Clerico, Van Cleef Engineering Associates, LLC (rclerico@vcea.org)
William Shurts, Esq., Felter, Cain & Shurts, (fcslegal@netcarrier.com)



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Daniel A. Nagy, L.S. & P.P.
Samuel D. Costanzo, P.E. & P.P.

March 27, 2014

City of Lambertville
18 York Street
Lambertville, New Jersey 08530

Attention: Crystal Lawton, Planning Board Secretary (construction@lambertvillenj.org)

Reference: Block 1026 Lots 5 & 6— 85/89 North Main St.
Fisherman's Mark –Lot Line Adjustment Application
City of Lambertville, Hunterdon County, New Jersey

Dear Crystal:

I am in receipt of various documents submitted by the applicant for a lot line adjustment (2 -lot minor subdivision) application, including the following:

1. Subdivision application form, dated March 7, 2014. The application package also included copies of the deed for Lot 6, Escrow agreement & photographs of the property. A completed copy of the City Checklist #1 for Minor Subdivisions along with any request for waivers of submission requirements were not submitted to my office. I also did not receive a required Tax Payment Certification, Certified Owner's List and Tax Assessor's assignment of Lot numbers.
2. Lot Line Change Plan (Minor Subdivision) consisting of 1 sheet, dated March 3, 2014 with no revisions noted. The plans are prepared by, Boucher & James Inc. (Bruce R Blair PLS) and are based upon older surveys that have not been provided.

Lots 5 and 6 are both owned by Fisherman's Mark and are located in the R-2 Zone. Lot 5 contains an existing semi-detached 2 story frame structure located on the west side of North Main St. Lot 6 contains an adjacent 3 story masonry structure. The applicant proposes to relocate the common property line between these lots, moving it approximately 20 feet to the South in order to transfer a portion of lot 6 to lot 5. Various improvements contained within the area of the proposed property transfer are noted as follows:

- a portion of an existing depressed curb opening along North Main St which apparently was access to abandoned driveway to this property
- a landscape garden with brick paver sidewalk that provides access to rear of these lots

Please Reply To:

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- an "existing access tower" structure that is currently located on lot 6 and connects with the easterly side of an existing building located on adjoining Lot 7 owned by St Andrews Church. The adjoining building and Lot 7 property are not part of this application.
- an existing "access easement" that is noted as "To Be Abandoned". It is not clear as to the entity that benefits from (or the purpose of) the easement.

The application has been scheduled for a "completeness determination" at the Board's next meeting on April 2, 2014. I have reviewed the submitted documents against the various Minor Subdivision checklist requirements. As previously noted the applicant has not submitted completed City Checklist form identifying waivers that they may be requesting. Accordingly I am assuming that they are not seeking any waivers and based upon my review I have identified the following deficiencies. ;

Items 1, 2, 3 & 9, - Administrative items - you should advise the Board whether the applicant provided these items.

Item 4 – the plans are not signed or sealed by the Surveyor

Item 5 – the address of the owner in not noted on the plan

Item 6 – the list of property owners within 200 is not listed on the plan

Item 7e – a graphic scale is not noted on the plan

Item 7h – the tax map sheet is not listed on the plan

Item 12- the deed for lot 5 along with any covenants or restrictions (previously referenced access easement) have not been provided

Item 13 – documentation of submission to the HCPB or the D&R Canal Commission has not been provided

Item 14- written verification by the Tax Assessor of assignment of Lot Numbers for the reconfigured lots has not been provided.



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Item 16- the Key Map does not identify surrounding properties.

Items 17 & 22- the plans do not depict topographical information or the location of features within 200 ft. of the property. **If the applicant requests waivers from these criteria I would recommend that the Board grant the waivers.**

Item 27 – the purpose and restrictions associated with of the existing access easement and the "access stair tower" on Lot 5 which connects to the building on Lot 7 (not part of this application) has not been provided.

Item 28- signed and sealed copies of the old surveys that are referenced under notes #S1 & #2 on the Lot Line Change Plan

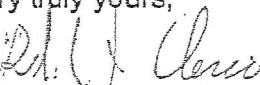
Items 30 & 32. – the plans should show the location of any existing sanitary sewer lateral or water service connection into either structure. Depending on the locations of these connections it may be necessary to provide cross-lot utility easements prior to the transfer of land.

If the Board is in agreement with the above, they would take the following action at the meeting on Wednesday:

- **If requested then grant waivers for items 17e & 22**
- **Deem items 4, 5, 6, 7e, 7h, 12, 13, 14, 16, 26, 27, 28, 30 & 32 to be incomplete based upon the deficiencies outlined above.**

Although I may not be able to attend the Board's meeting on Wednesday, April 2,, 2014, I can send a representative from my office to discuss these issues if the Board finds that necessary. If you have any questions or require additional information, please feel free to contact me.

Very truly yours,


Robert J. Clerico, P.E.
Board Engineer
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RJC

cc: All Planning Board Members (email distribution)
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